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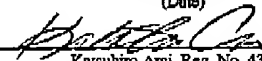
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TO: Petition Department

OUR REF.: ASMJP.032AUS

FIRM: THE U.S. PATENT AND TRADEMARK OFFICE

YOUR REF.: 09/511,934

FACSIMILE No.: (703) 872-9306

FILING DATE: FEBRUARY 24, 2000

FROM: Katsuhiko Arai

NO. OF PAGES: 16 (incl. cover sheet)

DATE: JUNE 28, 2004

TIME:

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MESSAGE: ACCORDING TO A RECOMMENDATION OF ONE OF YOUR PERSONNEL IN THE PETITION DEPARTMENT, ATTACHED IS THE PETITION TO WITHDRAW HOLDING OF ABANDONMENT FOR THE ABOVE-IDENTIFIED PATENT APPLICATION. THE PETITION WAS FILED ON MAY 27, 2004 AND RECEIVED BY THE USPTO ON JUNE 1, 2004 AS A COPY OF A RETURNED POSTCARD INDICATED. AS I WAS TOLD THIS MORNING ON THE TELEPHONE CONVERSATION WITH ONE OF YOUR PERSONNEL THAT THE PETITION WAS NOT RECEIVED IN THE PETITION DEPARTMENT AS OF TODAY, WE ARE SENDING AGAIN ALL THE DOCUMENTS FILED ON MAY 27, 2004.

YOUR PROMPT ATTENTION TO THIS MATTER IS HIGHLY APPRECIATED.

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619-235-8550

San Francisco
415-954-4114

Los Angeles
310-551-3450

Riverside
909-781-9231

San Luis Obispo
805-547-5580

JUN 28 2004

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PATENT

Case Docket No. ASMJP,032AUS

Date: May 27, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Hideaki FUKUDA, et al.
Appl. No. : 09/511,934
Filed : February 24, 2004
For : THIN-FILM FORMING
APPARATUS HAVING
AUTOMATIC CLEANING
FUNCTION FOR CLEANING
THE INSIDE
Examiner : Ram N. Kackar
Group Art Unit : 1763

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May 27, 2004

(Date)

Katsuhiro Arai, Reg. No. 43,315


TRANSMITTAL LETTER

MAIL STOP: Box DAC
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action Under 37 CFR 1.18(a) with the attachments.
- (X) A copy of the Notice of Abandonment dated May 18, 2004 from the U.S. Patent and Trademark Office.
- (X) The Commissioner is hereby authorized to charge any fees which may be required to Account No. 11-1410.
- (X) Return prepaid postcard.


Katsuhiro Arai
Registration No. 43,315
Agent of Record
Customer No. 20,995
(949) 760-0404

H:\DOCS\KOA\KOA-3608.DOC
052704

Client Code: ASMJP.032AUS
Page 2

accordingly, the initially set action due dates are closed on 23 October 2003) and the Notice of Abandonment was received on 24 May 2004 (see Remarks on the first page) and the due date to respond is set for 18 July 2004 (two months from the mailing date). There is no indication of receiving the Office action. If the undersigned had received the Office action, that would have been indicated in the docket record.

Further, in this application, all of the Office actions including the Notice of Abandonment have been addressed to the previous address. The address change request was faxed to the Office on 14 August 2002 as shown in the attached copy. Except for the present application, the address has been updated in the other applications. The improperly indicated address may have been a cause of nonreceipt of the Office letter. The undersigned requests that the address be updated in the present application.

The undersigned has never received the Office letter, and a petition under 37 C.F.R. § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action, and such petition does not require a fee (M.P.E.P. 711.03(c)).

The undersigned respectfully requests grant the petition to withdraw the holding of abandonment of the present application and re mail the Office action. Should fees be necessary for this petition, please charge them to our deposit Account No. 11-1410.

Enclosed in support of the submission are the following.

- (X) A copy of the docket record as of May 27, 2004.
- (X) A copy of the address change request faxed on 14 August 2002.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 27, 2004

By: 

Katsuhiro Arai
Registration No. 43,315
Agent of Record
Customer No. 20,995
(949) 760-0404

H:\DOCS\KOA\KOA-3606.DOC
052704

Country Application

Thursday, May 27, 2004

Case Number: ASMJP.032AUS**Country:** US United States of America**SubCase:****NP Instr. Date:****Case Type:** ORD**Status:** Pending**Application Number:** 09/511934**Filing Date:** 24-Feb-2000**Patent Number:****Issue Date:****Publication Number:****PublicationDate:****Expir. Date:****Entity:** LE**AbandonedDate:****Agent:****Client:** ASMJP**Prosecuting****Agent Ref#:** J-065US**Tax Due Date:****Priority Date:****Annuity Number:****BarCodeDate:****Priority Number:** NONE**Tax Start Date:****Assignee:** ASM JAPAN K.K**Inventors:** FUKUDA, HIDEAKI**Invention Attorney(s):** ASA

KOA

SATO, KIYOSHI

Title: THIN-FILM FORMING APPARATUS HAVING AN AUTOMATIC CLEANING FUNCTION FOR CLEANING THE INSIDE**Remarks:** Notice of Abandonment recvd 5/24/04; Applicant's failure to timely file a proper reply to the Office letter mailed on 11/6/03

RCE filed 10/30/02

Drawings have been accepted; see Paper No.6

User ID: ASG**Date Created:** 16-Jun-2000**Last Update:** 26-May-2004**List Of User Actions**

| Action(s) Due | Due Date | Indicator | Action Taken |
|--------------------------------|-------------|-----------|--------------|
| File Petition to Revive? | 18-Nov-2004 | Due Date | |
| Erroneous ABA/File Rescission? | 18-Jul-2004 | Final | |
| STATUS RCE APP | 23-Jun-2004 | Due Date | |
| A/Brief 5th Extension | 23-Apr-2004 | Final | 23-Oct-2003 |
| US-Appeal Brief Follow Up Date | 23-Apr-2004 | Due Date | 23-Oct-2003 |
| A/Brief 4th Extension | 23-Mar-2004 | Due Date | 23-Oct-2003 |
| A/Brief 3rd Extension | 23-Feb-2004 | Due Date | 23-Oct-2003 |
| A/Brief 2nd Extension | 23-Jan-2004 | Due Date | 23-Oct-2003 |
| A/Brief 1st Extension | 23-Dec-2003 | Due Date | 23-Oct-2003 |
| POSTCARD RECVD? | 23-Dec-2003 | Due Date | 07-Nov-2003 |
| Postcard Recvd?/Ntc Appeal | 23-Dec-2003 | Reminder | 03-Oct-2003 |
| Appeal Brief Due | 23-Nov-2003 | Due Date | 23-Oct-2003 |
| Postcard Recvd?/Final Amend | 21-Nov-2003 | Reminder | 29-Aug-2003 |
| 3rd/Final Ext FinalOA/File RCE | 24-Oct-2003 | Final | 21-Aug-2003 |
| Appeal Stat Per/File RCE? | 24-Oct-2003 | Final | 23-Sep-2003 |
| 2nd Ext Final OA | 24-Sep-2003 | Due Date | 21-Aug-2003 |
| Appeal/2nd Ext | 24-Sep-2003 | Due Date | 23-Sep-2003 |
| US-PAT OA 3 MON Follow Up Date | 20-Sep-2003 | Due Date | 28-Apr-2003 |
| 1st Ext Final OA | 24-Aug-2003 | Due Date | 21-Aug-2003 |
| Appeal/1st Ext | 24-Aug-2003 | Due Date | 22-Aug-2003 |
| File Notice of Appeal? | 24-Jul-2003 | Due Date | 21-Aug-2003 |
| Final OA 3 Mon/File Appeal | 24-Jul-2003 | Due Date | 14-Jul-2003 |

Country Application

Thursday, May 27, 2004

| | | | |
|--------------------------------|-------------|----------|-------------|
| Final OA 2 Month Date | 24-Jun-2003 | Due Date | 23-Jun-2003 |
| Postcard Recvd?/Amend | 20-Jun-2003 | Reminder | 01-Apr-2003 |
| 3rd Ext Amendment | 20-May-2003 | Final | 20-Mar-2003 |
| STATUS RCE APP | 30-Apr-2003 | Due Date | 27-Nov-2002 |
| 2nd Ext Amendment | 20-Apr-2003 | Due Date | 20-Mar-2003 |
| 1st Ext Amendment | 20-Mar-2003 | Due Date | 18-Mar-2003 |
| Amendment Due | 20-Feb-2003 | Due Date | 12-Feb-2003 |
| 3rd/Final Ext FinalOA/File RCE | 01-Jan-2003 | Final | 18-Sep-2002 |
| STAT PER/FILE RCE | 01-Jan-2003 | Final | 30-Oct-2002 |
| POSTCARD RECVD? | 30-Dec-2002 | Due Date | 12-Nov-2002 |
| Postcard Recvd?/Amend AF | 18-Dec-2002 | Reminder | 01-Oct-2002 |
| US-PAT 3 MONTH Follow Up Date | 06-Dec-2002 | Due Date | 08-Jul-2002 |
| 2nd Ext Final OA | 01-Dec-2002 | Due Date | 18-Sep-2002 |
| APPEAL 2ND EXT | 01-Dec-2002 | Reminder | 30-Oct-2002 |
| 1st Ext Final OA | 01-Nov-2002 | Due Date | 18-Sep-2002 |
| APPEAL 1ST EXT | 01-Nov-2002 | Reminder | 30-Oct-2002 |
| Final OA 3 Mon/File Appeal | 01-Oct-2002 | Due Date | 18-Sep-2002 |
| NOTICE APPEAL | 01-Oct-2002 | Due Date | 30-Sep-2002 |
| 3rd Extension | 07-Sep-2002 | Final | 06-Jun-2002 |
| Postcard Recvd?/Amendment | 06-Sep-2002 | Reminder | 20-Jun-2002 |
| Final OA 2 Month Date | 01-Sep-2002 | Due Date | 27-Aug-2002 |
| F/U Status Check | 25-Aug-2002 | Due Date | 13-Mar-2002 |
| 2nd Extension | 07-Aug-2002 | Due Date | 06-Jun-2002 |
| 1st Extension | 07-Jul-2002 | Due Date | 06-Jun-2002 |
| Amendment Due | 07-Jun-2002 | Due Date | 06-Jun-2002 |
| Postcard Recvd?/Status Check | 25-Apr-2002 | Reminder | 11-Mar-2002 |
| STATUS CHECK | 24-Feb-2002 | Reminder | 25-Feb-2002 |
| STATUS CHK Follow Up Date | 24-Feb-2002 | Due Date | 24-Aug-2001 |
| POSTCARD REC'D? | 17-Nov-2001 | Reminder | 27-Aug-2001 |
| POSSIBLE IDS | 12-Sep-2001 | Final | 17-Aug-2001 |
| FORE FILE Follow Up Date | 24-Aug-2001 | Due Date | 24-Feb-2001 |
| STATUS CHK | 24-Aug-2001 | Due Date | 24-Aug-2001 |
| Rev Intl Srch Rpt/File IDS? | 12-Aug-2001 | Due Date | 12-Aug-2001 |
| US-ASSIGNMENT Follow Up Date | 05-Apr-2001 | Due Date | 05-Oct-2000 |
| FORE FILE | 24-Feb-2001 | Due Date | 24-Feb-2001 |
| FOREIGN FILE? | 18-Feb-2001 | Reminder | 18-Feb-2001 |
| *L/C F/F 10 MON | 24-Dec-2000 | Due Date | 18-Feb-2001 |
| US-MISS PART 2 Follow Up Date | 20-Dec-2000 | Due Date | 20-Jun-2000 |
| ASSIGN REC'D? | 20-Nov-2000 | Due Date | 05-Oct-2000 |
| CORRECT F/R REC | 27-Oct-2000 | Reminder | 28-Aug-2000 |
| FINAL MSNG PRIS | 26-Oct-2000 | Final | 20-Jun-2000 |
| POSTCARD REC'D | 27-Sep-2000 | Reminder | 04-Aug-2000 |
| MISS PART 3 EXT | 26-Sep-2000 | Due Date | 20-Jun-2000 |
| POSTCARD REC'D? | 20-Sep-2000 | Reminder | 30-Jun-2000 |
| POSTCARD REC'D? | 20-Sep-2000 | Reminder | 29-Jun-2000 |
| MISS PART 2 EXT | 26-Aug-2000 | Due Date | 20-Jun-2000 |

Country Application

Thursday, May 27, 2004

| | | | |
|-----------------|-------------|----------|-------------|
| FILING RECEIPT | 24-Aug-2000 | Reminder | 01-May-2000 |
| REC'D M/PARTS? | 24-Aug-2000 | Due Date | 01-May-2000 |
| MISS PART 1 EXT | 26-Jul-2000 | Due Date | 20-Jun-2000 |
| MISSING PARTS | 26-Jun-2000 | Due Date | 20-Jun-2000 |
| IDS | 24-May-2000 | Due Date | 24-May-2000 |
| POSTCARD REC'D? | 24-May-2000 | Reminder | 01-May-2000 |
| US PAT APPL DUE | 29-Feb-2000 | Due Date | 24-Feb-2000 |

Actions Due

Thursday, May 27, 2004

Case Number: ASMJP.032AUS**Country:** US **SubCase:**

United States of America

Action Type: US-Appeal Brief**Action Base Date:** 23-Sep-2003**Response sent date:** 23-Oct-2003

| Action(s) Due | Due Date | Indicator | Taken |
|--------------------------------|-------------|-----------|-------------|
| Appeal Brief Due | 23-Nov-2003 | Due Date | 23-Oct-2003 |
| A/Brief 1st Extension | 23-Dec-2003 | Due Date | 23-Oct-2003 |
| A/Brief 2nd Extension | 23-Jan-2004 | Due Date | 23-Oct-2003 |
| A/Brief 3rd Extension | 23-Feb-2004 | Due Date | 23-Oct-2003 |
| A/Brief 4th Extension | 23-Mar-2004 | Due Date | 23-Oct-2003 |
| A/Brief 5th Extension | 23-Apr-2004 | Final | 23-Oct-2003 |
| US-Appeal Brief Follow Up Date | 23-Apr-2004 | Due Date | 23-Oct-2003 |

Remarks:

Advisory Action Rec'd 10/2/03; Affidavit or Exhibit will NOT be considered because it is not directed SOLELY to issue which were newly raised by the Examiner in the Final rejection

User ID: EC**Date Created:** 23-Oct-2003**Last Update:** 27-Oct-2003

Actions Due

Thursday, May 27, 2004

Case Number: ASMJP.032AUS**Country:** US **SubCase:**

United States of America

Action Type: RCE APPLN PTO**Action Base Date:** 23-Oct-2003**Response sent date:**

| Action(s) Due | Due Date | Indicator | Taken |
|-----------------|-------------|-----------|-------------|
| POSTCARD RECVD? | 23-Dec-2003 | Due Date | 07-Nov-2003 |
| STATUS RCE APP | 23-Jun-2004 | Due Date | |

Remarks:

5/23 date extend KOA spoke with examiner who will issue amendment second time as the first one was lost in mail per H.Isetani EM 5/19/04 (jap 8:47:17 AM)

4/23 date extend per H.Isetani EM 4/21/04 (jap 8:55:09 AM)

PC rec'd 11/7/03 SCM;A/T 11/11/03 jap

User ID: JAP**Date Created:** 19-May-2004**Last Update:** 19-May-2004

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Karen J. Lanker
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* A Professional Corporation
† Also Registered At Law Firm in Foreign
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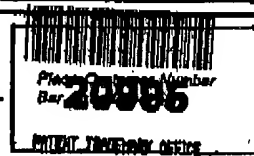
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| Address | 2040 Main Street | | | |
| Address | Fourteenth Floor | | | |
| City | Irvine | State | CA | ZIP 92614 |
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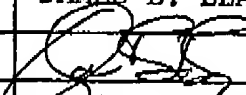
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☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto

Request Submitted by:

| | | |
|-----------------------------------|---|--------------|
| Firm Name (if applicable) | KNOBBE, MARTENS, OLSON & BEAR, LLP | |
| Name of Person submitting request | JAMES B. BEAR, MANAGING PARTNER | |
| Signature |  | |
| Telephone Number | (949) 760-0404 | Date 6-14-02 |

Duration Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CN, Washington, DC 20231.

July 1998

403

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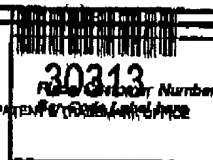
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Request Submitted by:

Firm Name (if applicable)

KNOBBE, MARTENS, OLSON, & BEAR, LLP

Name of Person
submitting request

JAMES B. BEAR, Managing Partner

Signature

Telephone Number

(949) 760-0404

Date

8-14-02

Guidance Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CN, Washington, DC 20231.

July 1998



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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/511,934 | 02/24/2000 | Hideaki Fukuda | ASMJP.032AUS | 5598 |

7590 05/18/2004

Knobbe Martens Olson & Bear LLP
620 Newport Center Drive
16th Floor
Newport Beach, CA 92660

| EXAMINER | |
|---------------|--|
| KACKAR, RAM N | |

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 1763 | |

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|---------------|--|
| Notice of Abandonment | Application No. | Applicant(s) | |
| | 09/511,934 | FUKUDA ET AL. | |
| | Examiner | Art Unit | |
| | Ram N Kackar | 1763 | |

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 06 November 2003.
 - ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

GREGORY MILLS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 0504

UTILITY/GRANTEE PATENT

(Inventor/Assignor)

Date: May 27, 2004
Date of Action: May 18, 2004Received in the USPTO on the date assigned herein via Certificate of Mail.
Patent # ABKOP 032AUS Applicant: H. KUKUDA, et al.

Title: THIN-FILM FORMING APPARATUS HAVING AUTOMATIC...

App No. 02/511,943 Filed: 02/24/00

Ex. Ref. N. Kacker An Unit 1763

Date: _____ Re Exam No. _____

Present No. _____ Invent: _____

VERIFIED BY: Asst. Invent: Asst. Arai

is transmitted.

is petition to withdraw holding of abandonment

is based on failure to receive office action under

is 37 CFR 1.18(a) with the attachments.

is A copy of the Notice of abandonment dated 5/18/04

is _____

is _____

is Return Prepaid Postcard _____

Date:

